

REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claims 6 and 10 have been cancelled, while claim 7 has been made a proper singularly dependent claim, depending from claim 1. In addition, the claims have been amended for clarity.

Applicants believe that the above changes answer the Examiner's objection to the claims and the Examiner's 35 U.S.C. 112, paragraph 2, rejection of claims 3 and 9, and respectfully request withdrawal thereof.

The Examiner has rejected claim 1-6 and 8-9 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 5,257,313 to Fujishita et al. The Examiner has further rejected claim 1-6 and 8-9 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Application Publication No. 2002/0076066 to Yabe et al.

The Fujishita et al. patent discloses a surround audio amplifier in which signal processing is performed under control of a user using keys 92, such that various different modes of operation (e.g., modes A-E) may be selectively performed.

As noted in MPEP § 2131, it is well-founded that "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). Further, "The identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v.*

Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

The subject invention, as claimed in claims 1 and 8, includes "means for smoothly and continuously changing from the first audio output mode to the second audio output mode under control of a user of the multi-channel audio conversion system". Applicants submit that while Fujishita et al. discloses various audio output modes and the switching between the modes by user control, Fujishita et al. neither discloses nor suggest the changing means of the subject invention.

The Yabe et al. publication discloses an acoustic apparatus, in which an operation unit 21 has a volume control button for controlling the main volume level and a balance control button for controlling the balance of volume level of the audio signals supplied to the front speakers and the volume level of audio signals supplied to the rear speakers.

Applicants have reviewed the Yabe et al. publication and have not found that there is disclosure of converting the audio input signals into audio output signals in at least two audio output modes. Furthermore, Applicants submit that Yabe et al. neither discloses nor suggests "means for smoothly and continuously changing from the first audio output mode to the second audio output mode under control of a user of the multi-channel audio conversion system".

In view of the above, Applicants believe that the subject invention, as claimed, is neither anticipated nor rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-5 and 7-9, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

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